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ELECTRONICS (TAIWAN) CO., LTD., TPV
9 INTERNATIONAL (USA), INC., TPV
ELECTRONICS (FUJIAN) CO., LTD., TOP
10 VICTORY ELECTRONICS (FUJIAN) CO., LTD.,
and ENVISION PERIPHERALS, INC.

11

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**

15 TOP VICTORY ELECTRONICS
16 (TAIWAN) CO., LTD., a Taiwanese
corporation; TPV
17 INTERNATIONAL (USA), INC., a
California corporation; TPV
ELECTRONICS (FUJIAN) CO.,
18 LTD., a Chinese corporation; TOP
VICTORY ELECTRONICS
(FUJIAN) CO., LTD., a Chinese
corporation; and ENVISION
19 PERIPHERALS, INC., a California
corporation,

20 Plaintiffs,

21 v.

22 HITACHI, LTD., a Japanese
corporation; INPRO LICENSING
23 SÀRL, a Luxembourg SARL,

24 Defendants.

25 Case No. CV 10-01579 CRB

26 **STIPULATION CONTINUING CASE
MANAGEMENT CONFERENCE AND
HEARING ON PENDING MOTIONS; ORDER
THEREON [PROPOSED]**

27 Judge: Hon. Charles R. Breyer

28 Case Management Conference and hearing on
pending motions date: October 22, 2010, at 10 a.m.

Case Management Conference and hearing on
pending motions date [Proposed]: November 5,
2010, at 10 a.m.

Courtroom: 8

1 Pursuant to Local Rule 6-2, Plaintiffs Top Victory Electronics (Taiwan) Co., Ltd., TPV
2 International (USA), Inc., TPV Electronics (Fujian) Co., Ltd., Top Victory Electronics (Fujian)
3 Co., Ltd., and Envision Peripherals, Inc. (collectively, "Plaintiffs") and Defendants Hitachi, Ltd.
4 and Inpro Licensing SARL (collectively, "Defendants") jointly submit this Stipulation Continuing
5 Case Management Conference and Hearing on Pending Motions:

6

7 **STIPULATION**

8 WHEREAS, three motions are pending before the Court: Plaintiffs' Motion to
9 Enjoin Hitachi's Prosecution of Duplicative and Later-Filed Texas Action (D.I. 23), Plaintiffs'
10 Motion for Leave to File Second Amended Complaint (D.I. 40), Defendants' Motion to Dismiss
11 the Complaint (D.I. 19) (collectively, the "Pending Motions");

12 WHEREAS, the Court's Order of September 13, 2010 (D.I. 62) continued the
13 Initial Case Management Conference and the hearing on the Pending Motions to October 22,
14 2010, at 10:00 a.m.;

15 WHEREAS, lead counsel for Plaintiffs has a pre-existing scheduling conflict
16 preventing his appearance before the Court on October 22, 2010, the currently-scheduled date for
17 the Initial Case Management Conference and hearing on the Pending Motions;

18 WHEREAS, counsel for the parties have conferred and agreed, subject to the
19 approval of the Court, that the Initial Case Management Conference and hearing on all pending
20 motions be continued to November 5, 2010, at 10 a.m.;

21 WHEREAS, other time modifications in this case include an Order dated June 30,
22 2010 (D.I. 13) continuing the Initial Case Management Conference from July 30, 2010 to
23 September 3, 2010; a Stipulation and Order continuing the Initial Case Management Conference
24 and hearing on the pending motions to September 24, 2010 (D.I. 3-1); and the Court's sua sponte
25 Order dated September 13, 2010 (D.I. 62) continuing the Initial Case Management Conference
26 and hearing on the Pending Motions to October 22, 2010;

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1 WHEREAS, this modification will affect the deadlines for submission of the
2 parties' Joint Case Management Statement and the parties' Rule 26 compliance, but will not
3 otherwise alter any other dates on the schedule for this case.

4 NOW THEREFORE, IT IS HEREBY STIPULATED BY AND BETWEEN THE
5 PARTIES, THROUGH THEIR RESPECTIVE COUNSEL OF RECORD AND SUBJECT TO
6 THE APPROVAL OF THE COURT, AS FOLLOWS:

7 1. The Initial Case Management Conference and the hearing on the Pending
8 Motions are hereby continued from October 22, 2010 to November 5, 2010 at 10:00 a.m.

9 Dated: October 4, 2010

10 MARK A. SAMUELS
11 BRIAN M. BERLINER
12 RYAN K. YAGURA
13 NICHOLAS J. WHILT
14 O'MELVENY & MYERS LLP

15 By: /s/ Nicholas J. Whilt
16 Nicholas J. Whilt

17 Attorneys for Plaintiffs Top Victory
18 Electronics (Taiwan) Co., Ltd., TPV
19 International (USA), Inc., TPV Electronics
20 (Fujian) Co., Ltd., Top Victory Electronics
21 (Fujian) Co., Ltd., and Envision Peripherals,
22 Inc.

23 Dated: October 4, 2010

24 JILL F. KOPEIKIN
25 DECHERT LLP

26 By: /s/ Jill F. Kopeikin
27 Jill F. Kopeikin

28 Attorneys for Defendants Hitachi, Ltd. and
29 Inpro Licensing SARL

1 **CERTIFICATION PURSUANT TO GENERAL ORDER 45**

2 Pursuant to General Order 45X.B, I, Nicholas J. Whilt, attest that the above
3 signatory for the Defendants has concurred and consented to the filing of this document.

4 Dated: October 4, 2010

By: /s/ Nicholas J. Whilt
Nicholas J. Whilt

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6
7 **ORDER**

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9
10 IT IS SO ORDERED.

11 Dated: October 4, 2010

